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PTO/SB/21 (08-00) Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

PIEU PADENA Under the Paper Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. **Application Number** 09/836,769 TRANSMITTAL 04/17/2001 **FORM** Filing Date (to be used for all correspondence after initial filing) Jeffrey J. Gratz First Named inventor Group Art Unit 3727 Examiner Name 273.016 Total Number of Pages in This Submission Attorney Docket Number ENCLOSURES (check all that apply) After Allowance Communication Assignment Papers Fee Transmittal Form to Group (for an Application) Appeal Communication to Board of Drawing(s) Fee Attached Appeals and Interferences Appeal Communication to Group Licensing-related Papers Amendment / Reply (Appeal Notice, Brief, Reply Brief) Petition **Proprietary Information** After Final Petition to Convert to a Status Letter Affidavits/declaration(s) Provisional Application Other Enclosure(s) (please Power of Attorney, Revocation **Extension of Time Request** Change of Correspondence identify below): **Express Abandonment Request** Return Postcard; Terminal Disclaimer Request to Withdrawal Notice of Information Disclosure Statement Abandonment and Revive Application; Request for Refund Declaration of Cobby Shereff; and Certified Copy of Priority Exhibits 1 and A-li CD, Number of CD(s) Document(s) Response to Missing Parts/ Remarks Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Peter C. Stomma Individual name Boyle Fredrickson Newholm Stein & Gratz, S.C. 250 East Wisconsin Avenue Milwaukee, WI 53292 Signature Date **CERTIFICATE OF MAILING** I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: Christine Kierzek Type or printed name Date Signature

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time your are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Of:	) <u>CERTIFICATE OF MAILING</u>
JEFFREY J. GRATZ	<ul> <li>I hereby certify that this correspondence is being</li> <li>deposited with the United States Postal Service</li> </ul>
Serial No.: 09/836,769	) with sufficient postage as first class mail in an ) envelope addressed to: COMMISSIONER
Filed: April 17, 2001	FOR PATENTS, Washington, D.C. 20231, this    1st_day of October, 2002.
Examiner:	
Group Art Unit: 3727	Christine Kierzek 10/1/or Date
TWO-SIDED ROLL SUPPORT	)
WITH MULTIPLE RIBS	)

REQUEST TO WITHDRAW NOTICE OF ABANDOMENT UNDER 37 CFR 1.53(f) or (g) AND REVIVE APPLICATION

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Commissioner For Patents Washington, D.C. 20231

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Sir:

On or about September 4, 2002, applicant's prior attorney received a Notice of Abandonment under 37 CFR 1.53(f) or (g) (hereinafter the "Notice of Abandonment") dated August 27, 2002 in the above-identified application. (Exhibit 1). The Notice of Abandonment stated that the above-identified application was abandoned for failure to timely or properly reply to the Notice to file Missing Parts (hereinafter "Notice") mailed on June, 2001. However, as hereinafter described, a timely response to the Notice to File Missing Parts was filed on July 31, 2001. As such, applicant respectfully requests withdrawal of the Notice of Abandonment and revival of the above-identified application.

The Notice to File Missing Parts was mailed to applicant's prior attorney on June 8, 2001. The due date for a response was set as August 8, 2001. On July 31, 2001, applicant's new attorney filed a Response to the Notice. The Response included a Declaration and Power of Attorney (Shereff Declaration, Exh, B); Revocation of Power of Attorney and Granting New Power of Attorney (Shereff Declaration, Exh. C); a copy of the Notice of Missing Parts (Shereff Declaration, Exh. A); a Transmittal Form (Shereff Declaration, Exh. D); a Fee Transmittal form in duplicate (Shereff Declaration, Exh. E); and a check in the amount of \$65.00 to the U.S. Patent and Trademark Office (Shereff Declaration, Exh. F); and a return

postcard identifying the items filed. Subsequently, applicant's attorney received the return postcard bearing the stamp dated August 3, 2001 (Shereff Declaration, Exh. G) from the U.S. Patent and Trademark Office. It is believed that the return postcard (Shereff Declaration, Exh. G) confirms that applicant's response to the Notice was received by the U.S. Patent and Trademark Office and that such Response was timely filed by applicant's attorney.

Further, Applicant provides herewith the copy of the cancelled check (Shereff Declaration, Exh. H) that was submitted with the Response to the Notice. It must be noted that the cancelled check (Id.) was endorsed by the Patent and Trademark Office on August 7, 2001, a day before a response to the Notice was due. It is believed that such cancelled check (Id.) further confirms the timely filing of the Applicant's Response to the Notice.

In view of the foregoing, it is believed that the Notice of Abandonment of the above-identified application was issued improperly by the U.S. Patent and Trademark Office. As such, withdrawal of the Notice of Abandonment under 37 CFR 1.53 (f) or (g) is respectfully requested. In addition, applicant respectfully requests that the above-identified application be revived.

No fees are believed to be payable with this communication. Nevertheless, should the Examiner consider any other fees to be payable in conjunction with this or any future communication, the Director is authorized to direct payment of such fees, or credit any overpayment to Deposit Account No. 50-1170.

Applicant believes that the present application is now in proper form for allowance and such action is earnestly solicited.

Respectfully submitted,

Peter C. Stomma

Reg. No. 36,020

Dated: 10/1/02

Boyle, Fredrickson, Newholm, Stein & Gratz, S.C.

250 East Wisconsin Avenue, St. 1030

Milwaukee, WI 53202

Telephone: (414) 225-9755 Facsimile: (414) 225-9753

Attorney Docket No: 273.016